

JOHN MCCOLLET, ET AL	:	
	:	
	:	
v.	:	CIV. NO. 3:06CV445 (JCH)
	:	
UNITED STATES OF AMERICA	:	

This matter having been the subject of a case management conference on July 24, 2008, and for good cause shown, it is ORDERED, in accordance with the parties' agreement, that they will take the following steps to conclude discovery and prepare the case for trial.

1. Although plaintiff's counsel has determined that Gene Stimmell is available at his office in Northwood, NH on August 4, 2008 for a deposition, defense counsel is scheduled for another deposition on that date; therefore, plaintiff's counsel will contact this witness and schedule another date that is acceptable to the witness and counsel.
2. The plaintiff shall produce an updated report from Dr. Macon by August 25, 2008.
3. The defendant will take the depositions of Dr. Macon and Dr. Conway, as well as Janice Nixon. Counsel have agreed to try and schedule the depositions of these doctors during September, 2008.
4. Plaintiff shall respond to the defendant's second set of written discovery by August 1, 2008.
5. The defendant may want to depose Asteghik Hacobian, MD,

Interventional Spinal Medicine Physicians, one of the plaintiff's subsequent treating physicians, in either Barrington or Exeter, New Hampshire. Plaintiff's counsel has contacted this provider in the past about scheduling a deposition and the provider adamantly refused to schedule it. As this is a treating physician subject to deposition by subpoena, the defendant shall decide if it wants to depose this witness and issue a subpoena in accordance with the Federal Rules of Civil Procedure.

6. The defendant's life care planner expert witness will perform a home inspection of the plaintiff's residence and conduct an interview of the plaintiff on August 15, 2008. The defendant has until August 29, 2008 to identify its life care planner and make the expert disclosures required by Rule 26, so that plaintiff may have the opportunity to review the expert's report prior to the deposition of Janice Nixon.
7. The deposition of Dr. Hahn shall take place at his office in New Britain, CT on September 17, 2008 at 1:30 p.m.
8. The plaintiff desires to depose Dr. Frances who performed a psychiatric assessment on the plaintiff. As Dr. Frances is currently in Alaska, he must be contacted to schedule this; however, both parties will try to accomplish this in September.
9. The plaintiff shall sign authorizations for all non-VA

medical providers that he has seen in 2008, so that the defendant can obtain records directly from the providers. Plaintiff will supply authorizations to the defendant by August 1, 2008 addressed to these providers, including but not limited to Drs. Niler, Miller and Mindy Chadrow, who are subject to subpoena. Plaintiff shall supply to defendant copies of any records in his possession from these providers. The defendant may desire to depose these providers who are subject to subpoena.

10. Each party reserves the right to object to discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules for the District of Connecticut.
11. All discovery shall be completed by September 30, 2008, except as indicated above. No further extensions will be granted.
12. The Final Pretrial Order shall be submitted to the Court by October 1, 2008.
13. The Final Pretrial Conference shall be held on October 2, 2008, unless rescheduled by Judge Hall.
14. The Court will conduct a settlement conference on October 7, 2008 at 10 a.m.
15. This matter is scheduled for trial before Judge Hall on October 20, 2008.

ENTERED at Bridgeport this 29th day of July 2008.

HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE